



City of Grand Island

Tuesday, May 10, 2005

Council Session

Item G3

Approving Minutes of April 26, 2005 City Council Regular Meeting

The Minutes of April 26, 2005 City Council Regular Meeting are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 26, 2005

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on April 26, 2005. Notice of the meeting was given in the *Grand Island Independent* on April 20, 2005.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmember's Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Finance Director David Springer, Public Works Director Steve Riehle, and City Attorney Doug Walker.

INVOCATION was given by Reverend Erin Curtis, First Christian Church, 2400 West 14th Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Larry Graves, Sr. Power Plant Operator for 35 Years of Service with the City. Mayor Vavricek and the City Council recognized Larry Graves, Sr. Power Plant Operator for 35 years of service with the City. Utilities Director Gary Mader commented on Mr. Graves service. Mr. Graves was present for the recognition.

Proclamation "Tourism Month" May, 2005. Mayor Vavricek proclaimed the month of May, 2005 as "Tourism Month". Renee' Seifert and members of the Convention Visitors Bureau were present to receive the proclamation.

Presentation by Youth Leadership Tomorrow and Community Youth Council. Paul Briseno, Assistant to the City Administrator introduced Jennifer Worthington, Executive Director of Leadership Tomorrow. Ms. Worthington introduced several students from Youth Leadership Tomorrow and gave an update on activities accomplished this year. Youth Leadership member Jami Harper from the class of 2004 spoke against smoking. The Mayor recognized and gave certificates to the Senior's from the Community Youth Council. Those receiving certificates were: Haley Greer, Matthew Schultz, Sarah Werth, Tia Troester, and Lindsey Mustion.

PUBLIC HEARINGS:

Public Hearing on Amendment to the Grand Island Zoning Map for Property Proposed for Platting as Stewart Place Fourth Subdivision Located South of Stolley Park Road and West of Blaine Street from R2 Low Density Residential to RD Residential Development. Regional Planning Director Chad Nabity reported that rezoning was required for property proposed for

platting as Stewart Place Fourth Subdivision located south of Stolley Park Road and west of Blaine Street from R2 Low Density Residential to RD Residential Development. Mr. Nabity recommended that Council waive the requirement of a 30' landscape buffer zone. Sam Grimminger, 2712 Sunnybrook Road spoke in support. No further public testimony was heard.

Public Hearing on Request of Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #1326, 2250 N. Diers Avenue for a Class 'D' Liquor License. City Clerk RaNae Edwards reported that Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #1326, 2250 N. Diers Avenue had submitted an application with the City Clerk's Office for a 'D' Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 15, 2005; notice to the applicant of date, time, and place of hearing mailed on April 15, 2005; notice to the general public of date, time, and place of hearing published on April 16, 2005; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 638 North Webb Road. (Le Meridien, LLC) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 638 North Webb Road was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to locate primary electrical cable and a pad-mounted transformer to serve the new Lofgreen Dental Clinic. No public testimony was heard.

ORDINANCES:

Councilmember Pielstick moved "that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

- #8972 - Consideration of Amendment to the Grand Island Zoning Map for Property Proposed for Platting as Stewart Place Fourth Subdivision Located South of Stolley Park Road and West of Blaine Street from R2 Low Density Residential to RD Residential Development
- #2973 – Consideration of Amending Salary Ordinance

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage." Councilmember Hornady seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Brenda Sutherland, Human Resources Director reported that the amendment to the Salary Ordinance #8973 as proposed was to make one position an exempt position.

Motion by Pielstick, second by Cornelius to approve Ordinances #8972 and #8973.

City Clerk: Ordinances #8972 and #8973 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #8972 and #8973 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8972 and #8973 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornady, second by Gilbert to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 12, 2005 City Council Regular Meeting.

Approving Minutes of April 19, 2005 City Council Study Session.

Approving Request of Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #1326, 2250 N. Diers Avenue for Class "D" Liquor License.

Approving Request of Terence Holcomb, 4040 Norseman Avenue for Liquor Manager Designation for Wal-Mart Supercenter #1326, 2250 N. Diers Avenue.

Approving Request of Marcia Rinkol, 1902 15th Avenue, Central City, Nebraska for Liquor Manager Designation for Pump & Pantry #6, 3355 Stolley Park Road.

Approving Preliminary Plat for Northview Subdivision.

Approving Preliminary Pat for Stewart Place Fourth Subdivision.

#2005-97 – Approving Renewal of Leases at Cornhusker Army Ammunition Plant for Storage Buildings with Dominion Construction Company in an Amount of \$2,000.00 per year and Jerry Harders in an Amount of \$500.00 per year.

#2005-120 – Approving Final Plat and Subdivision Agreement for Stewart Place Fourth Subdivision. It was noted that Dynasty Enterprises, Inc., owner had submitted the final plat for Stewart Place Fourth Subdivision, located on a parcel of land in the NW 1/4 NE 1/4 of Section 29-11-9 for the purpose of creating 21 lots.

#2005-121 – Approving Final Plat and Subdivision Agreement for Pleasant View Fourteenth Subdivision. It was noted that GNR Development Corp., owner had submitted the final plat for Pleasant View Fourteenth Subdivision, located on a parcel of land in the W 1/2 NE 1/4 of Section 22-11-9 for the purpose of creating 11 lots.

#2005-122 – Approving Final Plat and Subdivision Agreement for Woodland Park Second Subdivision. It was noted that Hastings Ventures L.L.C., owner had submitted the final plat for

Woodland Park Second Subdivision, located on a parcel of land in the W 1/2 SE 1/4 of Section 2-11-10 for the purpose of creating 20 lots.

#2005-123 – Approving Acquisition of Utility Easement Located at 638 N. Webb Road. (Le Meridian, LLC)

#2005-124 – Approving Bid Award for Water Main Project 2005-W-5 – System Maintenance with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$68,375.77.

#2005-125 – Approving Bid Award for 23kV Vertical Break Group Operated Air Switches with Dutton-Lainson Company of Hastings, Nebraska in an Amount of \$56,033.76 including tax.

#2005-126 – Approving Agreement for Construction Occupancy with T & E Cattle Company and the Utilities Department.

#2005-127 – Approving Continuation of Water Main District No. 450 and No. 451.

#2005-128 – Approving Bid Award for Transfer Station Storage Building with Rathman-Manning Corp. of Chapman, Nebraska in an Amount of \$104,400.00.

#2005-129 – Approving Change Order No. 2 to the Contract with The Diamond Engineering Company for Street Improvement District NO. 1246 Along South Locust Street from Stolley to Fonner Park Road for an Increase in the Amount of \$60,941.20 and a Revised Contract Amount of \$2,116,594.42. Councilmember Pielstick voted no.

#2005-130 – Approving Change Order No. 3 to the Contract with John T. Jones Construction of Fargo, North Dakota for the 2003 Waste Water Treatment Plant-1, Solids Handling Improvements Project for Decrease in the Amount of \$16,505.00 and a Revised Contract Amount of \$8,549,251.00.

#2005-131 – Approving Amendment to the Agreement with Olsson Associates of Grand Island, Nebraska for Right-of-Way Appraisal and Acquisition Services on the Project to Widen Capital Avenue in an Amount not to exceed \$99,930.00.

#2005-132 – Approving Designation of No Parking Zone and Loading Zone on 3rd Street Near the Senior Center.

#2005-133 – Approving Change Order No. 6 to the Grand Generation Center Renovation and Expansion Project with Starostka Group, Inc. of Grand Island, Nebraska for an Increase of \$5,065.00 and a Revised Contract Amount of \$614,153.75.

#2005-134 – Approving Demolition of Improvements at 101-105 North Sycamore Street, 200 East First Street, and 112 North Kimball Avenue with Cook Construction of Kearney, Nebraska in an Amount of \$49,600.00.

#2005-135 – Approving an Increase to Staff by One Employee for the Position of Maintenance Worker I/II for the Wastewater Treatment Plant.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of April 13, 2005 through April 26, 2005, for a total amount of \$2,374,822.61. Motion adopted unanimously. Councilmember Pielstick abstained from claims #96578, #96580, and #96583.

ADJOURNMENT: The meeting was adjourned at 7:45 p.m.

RaNae Edwards
City Clerk